WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11650 of 2006

==========

1. Md.Masiur Rahman , son of Late Haji Shamsul Haque
2. Bibi Shabeela Khatoon widow of Late Haji Shamsul Haque
3. Bibi Shakila Khatoon @ Bibi Saida Khatoon, w/o Md. Taiyab
4. Bibi Hajra Khatoon, w/o Late Shafiqur Rahman
5. Bibi Shaheda Khatoon, w/o Md. Halimuddin
6. Bibi Rukhsana Khatoon, w/o Md. Mehkook Alam
7. Bibi Sabra Khatoon, w/o Shafiqur Rahman
8. Bibi Najra Khatoon, w/o Md. Irshad Alam
9. Bibi Saleha Khatoon w/o Md. Tabrez Alam
10. Bibi Quraishi Khatoon @ Bibi Koshri Khatoon, w/o Md. Ashfaque Alam
11. Bibi Afasari Khatoon, w/o Md. Ayub Alam

Petitioners no. 3 to 11 all daughters of Late Haji Shamsul Haque, All resident of village Prasadpur Dumaria, P.S. – Mahalgaon (Jokihat), District -Araria

…….. Petitioners

Versus

1. The State Of Bihar
2. The S.D.O. Araria, District Araria
3. The Anchal Adhikari, Jokihat, P.S. – Jokihat, District - Araria
4. Mehmood Alam
5. Md. Saleh
6. Md. Mehboob Alam

Respondents no. 4 to 6 sons of Sk. Allauddin
All residents of village - Prasadpur, Dumaria, P.S. – Mahalgaon, District - Araria

.... Respondents

==========

Appearance :
For the Petitioner/s : Mr. Md.Anis Akhtar
Mr. M.Z.Quamar

For the Respondent/s : Mr. (Gp17)
Mr. Sanjay Kumar Sharma
Mr. Binit Kumar

==========

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8 26-02-2013 Heard learned counsel for the petitioners , learned A.C. to A.A.G. No. 5 , who appears on behalf of respondent no. 1 to 3 and learned counsel appearing on behalf of private respondents

i.e. respondent no. 4, 5 and 6.

The present writ petition pertains to a dispute under Section 48D of the B.T. Act.

In this case though private respondents have appeared, till date, no counter affidavit has been filed. During the pendency of the present writ petition a Forum for adjudication of such dispute has already been created as Land Tribunal under Bihar Land Tribunal Act, 2009, and same is functioning. Accordingly, the court is of the opinion that this dispute can well be adjudicated by the Tribunal. This court while exercising power under provision contained under Section 15 of the Act, directs the Registry to transmit the record to the Tribunal forthwith.

(Rakesh Kumar, J)

Praful/-